



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/903,255	07/11/2001	Carl-Eric Kaiser	CM2388

CONFIRMATION NO. 9451

27752
THE PROCTER & GAMBLE COMPANY
PATENT DIVISION
IVORYDALE TECHNICAL CENTER - BOX 474
5299 SPRING GROVE AVENUE
CINCINNATI, OH 45217

FORMALITIES LETTER



OC000000006475502

Date Mailed: 08/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The following item(s) appear to have been **omitted** from the application:

- Page(s) 1 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR**

1.136(a) or (b). In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on 9-19-01

Joyce Moore
Name
Joyce Moore
Signature

sector

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P&G Case CM2388

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Carl-Eric Kaiser :
Serial No. 09/903,255 :
Confirmation No. 9451 :
Filed July 11, 2001 :
For A PROCESS AND A DEVICE :
FOR DEODORIZING AND/OR :
FRAGRANCING AN :
ENVIRONMENT :

COPY MAILED

OCT 26 2001

OFFICE OF PETITIONS

PETITION IN RESPONSE TO
NOTICE TO FILE MISSING PARTS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The Applicants respectfully petition the Commissioner of Patents to eliminate the asserted deficiency in the application indicated in the Notice to File Missing Parts mailed on August 27, 2001.

Statement of Facts

The Notice to File Missing Parts mailed August 27, 2001, states "The following item(s) appear to have been omitted from the application:

- Page(s) 1 of the specification (description and claims)"

This statement in the Notice to File Missing Parts is in error, however, because the Applicant filed a complete copy of the specification and claims on July 11, 2001. A copy of the application filed by Applicant, the return post card indicating that the specification and abstract contained 13 pages, and indicating receipt of the same by the U.S. Patent Office, and the Express Mail certificate for the same are attached hereto as Exhibits "A", "B", and "C", respectively.

Since the Applicants did file a complete copy of the application, the Notice to File Missing Parts is improper to the extent it indicates that the application was incomplete, and should be withdrawn.

Please charge any fees associated with this petition to Deposit Account No. 16-2480. A duplicate copy of this petition is included for this purpose. However, Applicants respectfully request that this petition be granted without any fees since the statement in the Notice to File Missing Parts is incorrect.

Respectfully submitted,

By J.V.B.
Jeffrey V. Bamber
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Registration No. 31,148
(513) 626-6645

9/19, 2001
Customer No. 27752